

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOHN KARARO, SEAN WALKER, TRI
MINH LA and MELVYN L. CAISON JR.,
individually and on behalf of all similarly
situated current and former employees,

Plaintiffs,

v.

OLD DOMINION FREIGHT LINE INC.,

Defendant.

)
)
)
) Case No. 23-cv-02187
)
) District Judge Jorge L. Alonso
) Magistrate Judge Heather K. McShain
)
)
)

**DEFENDANT’S COMBINED MOTION TO DISMISS AND FOR JUDGMENT
ON THE PLEADINGS AS TO PLAINTIFFS’ SECOND AMENDED CLASS
ACTION COMPLAINT OR, IN THE ALTERNATIVE, STRIKE OR
DISMISS PLAINTIFFS’ CLASS CLAIMS**

Defendant Old Dominion Freight Line, Inc. (“Old Dominion”), by and through its attorneys, Jody Kahn Mason, Jason Selvey, and Hannah Griffin Garlough of Jackson Lewis P.C., hereby moves to dismiss Plaintiffs’ claims asserted in their Second Amended Class Action Complaint (Dkt. 14), with prejudice, pursuant to Rules 12(b)(1), 12(b)(6), and 12(c) of the Federal Rules of Civil Procedure or, in the alternative, strike or dismiss Plaintiffs’ class claims with prejudice pursuant to Federal Rule of Civil Procedure 23. In support of this Motion, Old Dominion incorporates by reference Defendants’ Memorandum in Support of Its Combined Motion to Dismiss and for Judgment on the Pleadings As to Plaintiffs’ Second Amended Class Action Complaint Or, In the Alternative, Strike or Dismiss Plaintiffs’ Class Claims, which is being filed contemporaneously with this Motion.

Dated: June 16, 2023

Respectfully submitted,

**OLD DOMINION FREIGHT LINE,
INC.**

By: /s/ Jody Kahn Mason
One of Its Attorneys

Jody Kahn Mason
Jason A. Selvey
Hannah Griffin Garlough
Jackson Lewis P.C.
150 North Michigan Avenue, Suite 2500
Chicago, IL 60601
Phone: (312) 787-4949
Facsimile (312) 787-4995
Jody.Mason@jacksonlewis.com
Jason.Selvey@jacksonlewis.com
Hannah.Garlough@jacksonlewis.com

CERTIFICATE OF SERVICE

I, Jody Kahn Mason, an attorney, certify that on June 16, 2023, I caused a true and correct copy of the attached ***COMBINED MOTION TO DISMISS AND FOR JUDGMENT ON THE PLEADINGS AS TO PLAINTIFFS' SECOND AMENDED CLASS ACTION COMPLAINT OR, IN THE ALTERNATIVE, STRIKE OR DISMISS PLAINTIFFS' CLASS CLAIMS*** to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's system.

/s/ Jody Kahn Mason